

MEMORANDUM FOR: Deputy Director for Administration
Deputy Director for Science & Technology
Deputy Director for Operations
Director, National Foreign Assessment
Center
Deputy to the DCI for Resource Management
Deputy to the DCI for Collection Tasking
Director, Equal Employment Opportunity
Director of Public Affairs
Legislative Counsel
Inspector General
Comptroller
Executive Secretary

FROM : [REDACTED]
Deputy General Counsel

STATINTL

SUBJECT : Conflict of Interests--Employment and
Financial Interest Statements

1. As you know, each year certain Agency employees at pay levels of GS-13 or higher are required by Executive Order 11222 and [REDACTED] to file financial interest statements (Form 2630) that reflect their financial interests as of 30 June. The purpose of the requirement is to enable the Agency to determine the existence of a conflict, or apparent conflict, of interests, and thus to permit appropriate action to remove the conflict.

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2. Subsequent to the enactment of the Ethics in Government Act of 1978, which requires financial reporting by GS-16's and above, the Director designated me to be responsible for CIA's implementation of the financial reporting requirements both of the new Act and the Executive Order. A Financial Disclosure Review Panel has been formed to assist in reviewing these financial reports, and Agency regulations are currently being revised to incorporate the requirements of the new law. Until such time as a revision is complete, however, the following procedures for submission shall apply.

3. Agency personnel required to file such statements (Form 2630) are those personnel:

(a) classified at GS-13, GS-14, or GS-15, or at a comparable pay level, in positions determined by the appropriate Deputy Director, Operating Official, or Head of Independent Office to be responsible for

making a Government decision or taking a Government action required by law or Procurement;
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(2) administering or monitoring grants or subsidies;
(3) regulating or auditing private or other non-Federal enterprise; or (4) other activities where the decision or action has an economic impact on the interests of any non-Federal enterprise; or

(b) classified at GS-13, GS-14, or GS-15, or at a comparable level, in positions which the appropriate Deputy Director, Operating Official, or Head of Independent Office has determined to have duties and responsibilities that require the incumbent to report employment and financial interests in order to avoid involvement in a possible conflict of interest.

Employees at GS-16 or above have recently completed financial disclosure reports under the Ethics Act and need not file a Form 2630. Also, employees covered by paragraph (a) above may be excluded from the reporting requirement by an appropriate determination that the employee falls within paragraph (d) of [REDACTED]. Under that paragraph, employees are excluded from the reporting requirement if the designating official determines that the duties of the employee are such that the likelihood of a conflict is remote, the degree of supervision is such that a statement need not be filed, or that any conflict would have only an inconsequential effect "on the integrity of the Government."

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4. I suggest that your instructions require submission of all statements to you by 31 August and that you complete your review not later than 30 September. Procedures for submissions are prescribed by paragraph (4) of [REDACTED]. I suggest also that, upon review, each statement be marked as reviewed and approved and show the date of such action and the initial or name of the approving official. Those statements that do indicate a conflict or raise a question of conflict of course cannot be marked as approved. Such statements should be forwarded to this Office for our review and advice. I expect that the Financial Disclosure Review Panel will assist in this review.

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5. The review required is designed to determine whether "the duties of the employee involve the organizations, persons, or real property in which the employee has a financial interest or an employment relationship." As the instructions accompanying Form 2630 indicate, the relevant financial interests are those of the employee, his spouse, his minor children, and members of his family who reside with him.

6. It is the responsibility of this Office to ensure that the steps outlined above have been taken and that the Agency is in compliance with applicable law and regulations. Therefore, I ask that each of you submit to me by 15 October a report which contains the names of your employees required to file statements, the number received, and the results of your review, such as the number approved and those awaiting final resolution. In the latter case, you should briefly summarize the problem and how you are handling it. Supplementary reports should be made every thirty days until you have received and reviewed financial statements from all employees required to submit them.

7. Members of this Office will be available to advise and assist in the review of statements of employment and financial interest and in other areas as needed. If you have any questions, please feel free to call me or [REDACTED]

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